

Message Text

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ACTION EB-07

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SUBJECT: IVORY COAST ABOLISHES REVERSE PREFERENCES

REFERENCE STATE 130073

1. SUMMARY. BY PRESIDENTIAL DECREE, PUBLISHED IN THE JOURNAL OFFICIEL ON JULY 17, FOLLOWING THE APPROVAL OF THE COUNCIL OF MINISTERS, GOIC ABOLISHED, UNDER THE PROVISIONS OF LOME CONVENTION, REVERSE PREFERENCES PREVIOUSLY ACCORDED THE EUROPEAN COMMUNITY OF SIX UNDER THE PREVIOUS YAOUNDE CONVENTIONS. THE IMPLEMENTING REGULATION, ISSUED ON JULY 18, 1975 BY THE DIRECTOR GENERAL OF CUSTOMS, MAKES THE DECREE APPLICABLE FOR ALL GOODS LANDED AT ABIDJAN FROM JULY 21, 1975 AND APPLICABLE IN OTHER PREFECTURES FROM THE DATE OF POSTING. THE IMPLEMENTING REGULATION ALSO STATES THAT THERE WILL BE NO CHANGE IN THE TARIFF TREATMENT OF THE THREE NEW MEMBERS OF THE EEC (UK, IRELAND, AND DENMARK), WHICH WERE NEVER ACCORDED REVERSE PREFERENCES. EMBASSY HAS DEFERRED REPORTING THESE MEASURES UNTIL WE COULD CONFIRM THEIR PRECISE MEANING AND INTERPRETATIONS OF SOME DETAILS WITH APPROPRIATE IVORIAN OFFICIALS, MOST OF WHOM HAVE BEEN ON EXTENDED LEAVE.

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END OF SUMMARY.

2. THE FOLLOWING ARE TRANSLATIONS FROM FRENCH OF DECREE NO. 75-504 OF JULY 16, 1975, WHICH ABOLISHED REVERSE PREFERENCES, AND CIRCULAR NO. 210, WHICH IMPLEMENTED THE DECREE AS OF JULY 21, 1975. QUOTE. THE PRESIDENT OF THE REPUBLIC ON THE ISSUE OF THE MINISTER OF ECONOMY AND FINANCE'S REPORT, AND WITH REGARD TO THE CONSTITUTION OF THE IVORY COAST REPUBLIC AND TO THE DECREE NO. 46-442 OF NOVEMBER 20, 1964, RESCINDING CUSTOMS DUTY ON ORDINARY GOODS IMPORTED FROM EEC MEMBER COUNTRIES, AND TO THE LAW NO. 74-495 OF JULY 10, 1975, AUTHORIZING THE APPROVAL OF THE ACP/CEE CONVENTION AT LOME, AND TO THE DECREE NO. 75-499 OF JULY 11, 1975, APPROVING THE SAID CONVENTION, AND TO THE LAW NO. 64-291 OF AUGUST 1, 1964, DETAILING THE CUSTOMS CODE AND WITH SPECIAL REGARD TO ARTICLES 6, 11, 13 AND 14 AND WITH APPROVAL OF THE MINISTERS' COUNCIL HEREBY DIRECTS THAT ARTICLE 1: ALL GOODS IMPORTED FROM MEMBER COUNTRIES OF THE EEC BE SUBJECT TO CUSTOMS DUTY AT THE MINIMUM TARIFF.

ARTICLE 2: THE MINISTER OF ECONOMY AND FINANCE BE RESPONSIBLE FOR THE EXECUTION OF THE SAID ORDER WHICH WILL BE PUBLISHED IN ACCORDANCE WITH THE PROCEDURE FOR URGENCY, EXECUTED AS STATE LAW AND PUBLISHED IN THE OFFICIAL JOURNAL OF THE IVORY COAST REPUBLIC. CIRCULAR NO. 210 FROM THE MINISTRY OF ECONOMY AND FINANCE ORDER NO. 75-504 OF JULY 16, 1975. IN COMPLIANCE WITH THE ABOVE ORDER, ALL CONSUMER GOODS, UPON THEIR ARRIVAL IN THE IVORY COAST FROM ONE OF THE NINE EEC-MEMBER COUNTRIES, SIGNATORIES TO THE LOME CONVENTION, WILL BE SUBJECT TO THE SAME CUSTOMS DUTY, CALCULATED USING THE MINIMUM TARIFF. THE EXEMPTION FROM CUSTOMS DUTY, WHICH WAS ACCORDED TO THE SIX EUROPEAN SIGNATORIES TO THE YAOUNDE AGREEMENTS, (FRANCE, ITALY, GERMAN FED REP, HOLLAND, BELGIUM, LUXEMBURG) IS THEREFORE RESCINDED. SPECIAL TRANSPORTATION DOCUMENTS WILL NO LONGER BE REQUIRED FOR GOODS FROM THESE COUNTRIES.

THERE WILL BE NO CHANGE IN PROCEDURE FOR GOODS IMPORTED FROM THE THREE OTHER EEC COUNTRIES, (GREAT BRITAIN, IRELAND AND DENMARK). HOWEVER, IF DOCUMENTS AYI, EUR1, ETC., WERE TO BE PRESENTED THEY WOULD BE AN APPRECIABLE AID IN PROVING UNCLASSIFIED

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THE ORIGIN OF GOODS, IN THE CASE OF A DISPUTE ARISING. PROMULGATED AS AN URGENT MEASURE, ORDER 75-504 WILL COME INTO FORCE IN ABIDJAN ON JULY 21, AND FROM THE DATE OF ITS DISPLAY AT THE LOCAL PREFECTURE FOR OTHER OFFICES. UNQUOTE.

3. THE TERM "MINIMUM TARIFF" USED IN ARTICLE 1 OF THE DECREE REFERS TO THAT TARIFF APPLIED TO IMPORTS FROM GATT MEMBER STATES. IVORY COAST DOES NOT HAVE MULTI-COLUMNED

TARIFF RATES. THE CUSTOMS DUTIES PAID ON GOODS IMPORTED FROM THE ERUOPEAN COMMUNITY ARE NOW EXACTLY THE SAME AS THOSE PAID ON GOODS IMPORTED FROM THE UNITED STATES. THERE IS NO LONGER ANY DISCRIMINATION.

4. FISCAL DUTIES AND VALUE-ADDED TAXES ARE ALSO COLLECTED AT THE PORT OF ENTRY. THESE DUTIES AND TAXES HAVE ALWAYS BEEN COLLECTED ON GOODS IMPORTED FROM THE ERUOPEAN COMMUNITY AS WELL AS FROM OTHER GATT MEMBER STATES. THERE HAS NEVER BEEN ANY DISCRIMINATORY TREATMENT IN THE COLLECTION OF FISCAL DUTIES AND VALUE-ADDED TAXES. CUSTOMS DUTIES, AS WELL AS FISCAL DUTIES, AND VALUE-ADDED TAXES ARE, IN FACT, UNIVERSALLY APPLIED BY IVORY COAST ON IMPORTED GOODS, WHATEVER THEIR ORIGIN.

5. THE ABOVE WAS CONFIRMED BY M. JULES NENEBI, DIRECTOR OF THE OFFICE OF FOREIGN TRADE, MINISTRY OF COMMERCE, ON SEPTEMBER 9, 1975. THE EMBASSY TRUSTS THAT THE CONTENTS OF THIS TELEGRAM WILL BE "ASSURANCES SATISFACTORY" WITHIN THE MEANING OF SECTION 502(B)(3) OF THE TRADE ACT OF 1974.
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